

Serial No.: 10/672,456

Attorney Docket No.: 2003P08210US

REMARKS

Upon entry of the instant Amendment, Claims 1-4 and 6-16 are pending. Claim 5 has been canceled. Claims 1, 6, and 13 have been amended to more particularly point out Applicants' invention. The Specification has been amended to correct a serial number for a related application. No new matter has been added.

Claims 1-3 and 5 were rejected under 35 U.S.C. §103 as being unpatentable over Murray, U.S. Patent No. 6,484,033 ("Murray") in view of Greene, U.S. Patent Application No. 2002/0077080 ("Greene"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Murray or Greene, either singly or in combination.

As discussed in the Specification, an improved third-party location monitoring system and device is provided according to embodiments of the present invention. Briefly, in addition to a system providing availability or contact information on a user, a remote device according to embodiments of the present invention may be affixed to an object, person, or pet, and set to trigger an alarm if it departs from a user-programmed range. A graphical user interface is provided for setting the range. Rules, presence, location and alarm updates may be transmitted wirelessly and/or using e-mail or text messaging techniques. In addition, according to some embodiments, a holder of the device can request changes to the warning perimeter.

Thus, claim 1 has been amended to recite "means associated with the wireless device for sending a request to the administrative device for a change in said third-party user-defined geographic boundary at an associated time and date; and means for transmitting said change to the wireless device upon third-party approval of said change."

In contrast, Murray does not provide for, inter alia, "third-party approval of said change." As an initial matter, and as acknowledged in the Official Action, Murray does not relate to geographic boundary setting and therefore does not relate to a means for third-party approval of such a change. Murray merely relates to a pager system that has a calendar service and can determine how long it should take a user to get to a site

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of a conference. In Murray, another user is telephoned if a device is determined not to be able to return to an available conference site in time for the conference. No third-party setting of boundaries or approval of any kind is provided for.

Greene is relied on for allegedly teaching boundary setting. However, Greene merely relates to an instant messaging system that associates an area with a "location tag." Again, however, as in Murray, this merely relates to an individual user's IM device or status. It does not provide any means for third-party setting of such a boundary or approval of a change in the geographic area.

As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Murray, Greene, and further in view of "well known prior art." The Official Action asserts that it is well known to "display the content of messages received by a mobile device." Assuming this to be true, however, the "well known" prior art does not cure the deficiencies of the Murray and Greene references concerning, inter alia, user-defined boundaries and presence and availability information or third-party setting or approval of changes in boundaries. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 6-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Murray in view of "well known prior art" and further in view of Greene. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Murray, Greene or "well known prior art," either singly or in combination.

Claim 6 has been amended to recite "programming said wireless device to be in an allowed predetermined range, said allowed predetermined range comprising a geographic perimeter and route and daily routine limits . . . and transmitting one or more alerting signals to an administrative device when said wireless device is determined to be outside said allowed predetermined range" and claim 13 has been amended to recite "programming said wireless telecommunications device to said predetermined user's daily routine, said daily routine including one or more allowed geographic boundary and time associations."

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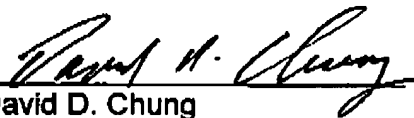
Murray and Greene have been discussed above. In particular, as discussed above, Murray and Greene do not provide for third-party setting of geographic boundaries. Murray and Greene likewise do not relate to "allowed geographic boundary and time associations" or "allowed predetermined range." That is, as there is no hint of third-party settings or permission, as discussed above, there is likewise no hint of the boundary or range being an allowed range.

The Official Action asserts that it is "well known" to (a) attach a pager; and (b) send e-mail or IM messages between mobile devices. Assuming this to be true, however, the "well known" prior art does not cure the deficiencies of the Murray reference concerning, inter alia, boundaries and ranges. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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